

FILED 10 NOV 2 14:43 USDC-ORP

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

Lawrence Beaumont

Plaintiff

v.

Government of the City of Edgewood

Edgewood Council Members:

Jeff Hogan-Mayor

Mike Kelly, Deputy Mayor

Paul Crowley, Council Member

Daryl Eidinger, Council Member

Donna O'Ravez, Council Member

Dave Olson, Council Member

Steve Cope, Council Member

Mark Bauer, City Manager

Ed Knutson (personal action)

Defendants

CV '10 - 1355  
Civil Case No:

PK

COMPLAINT

VIOLATION OF  
CONSTITUTIONAL  
RIGHTS

Jury Trial Demanded

COME NOW the Plaintiff above named for a cause of action against the

Defendants alleged as follows;

COMPLAINT

Page 1

# 36866

I. PARTIES

- 1.1 Plaintiff Beaumont, is a part time homeless resident of Multnomah County, Oregon State, with an address of 2870 NE Hogan Drive, 291 Gresham, OR 97030
- 1.2 Defendant, City of Edgewood, is an incorporated city within Pierce County, Washington State. City Hall address: 2224 104<sup>th</sup> Avenue East, Edgewood, WA. 98372, Telephone: 253.952.3299, Fax: 253.952.3537
- 1.4 Defendants Hogan, Kelly, Crowley, Eidinger, O'Ravez, Olson, and Cope are elected officials governing the City of Edgewood.
- 1.5 Defendant Bauer is a salaried employee of the city of Edgewood responsible for the day to day operations of the city and serving in the capacity as City Manager.
- 1.6 Ed Knutson is the Contracted Police Officer from the Pierce County Sheriff's Department serving as the City of Edgewood Police Chief. Defendant Knutson engaged in illegal conduct under the color of legal authority with or without the consent of his employing agency and which has resulted in the denial of the Plaintiff's Civil Rights.
- 1.7 Other parties may be later added as Discovery uncovers their role within these allegations.

## II. JURISDICTION

2.1 The subject matter of this complaint involves conduct under the color of legal authority which occurred while the Plaintiff was performing temporary volunteer hospice services within the City of Edgewood, Pierce County, Washington State and during which time the Defendants singularly or collectively deprived the Plaintiff of his civil rights and/or failed to take actions to prevent the violation of the Plaintiff's Civil Rights as granted under the United States Constitution. Jurisdiction is vested within this Court by virtue of violations of the United States Constitution (28 USC §1331), the parties being of different states (28 USC §1332), and the damage amounts sought from each Defendant which is likely to far exceed the requirement as set forth in 28 USC §1332 .

## III. GENERAL OVERVIEW OF THE COMPLAINT

3.1 Plaintiff is a devoutly religious and openly gay man who was a temporary member of the household located at 5007 Monta Vista Drive-East, Edgewood, WA. 98372. Plaintiff was and continues to provide hospice care to a longtime friend of 31 years during his final months of life. Plaintiff himself is also terminally ill and partially paralyzed from damages left from a massive stroke which occurred in 2009.

1 3.2 Plaintiff heard about a program which provided services to the homeless  
2 by housing them in unused space within private homes and which was seeking  
3 additional volunteers for the area where the hospice care was being provided.

4 Plaintiff decided to participate since the very large home on Monta Vista Drive-  
5 East, in Edgewood, WA was only occupied by one person at the time of inquiry.  
6

7 3.3 Shortly after accepting new residents under the Housing the Homeless  
8 Program, Chief Ed Knutson of the Edgewood Police Department arrived at the  
9 door with numerous other police officers as a show of force and spoke with the  
10 Plaintiff informing him that a resident, 23 year old John Deshiro was a registered  
11 level three sex offender and that he wanted the Plaintiff to remove him from the  
12 property. The Plaintiff inquired as to if Deshiro was in full compliance with the  
13 law or if he was wanted for any criminal violations. Chief Knutson responded that  
14 he was not wanted for any violation and was in full compliance with the reporting  
15 requirements but that his presence would cause trouble because the Mayor lives  
16 just lives doors away and the Mayor wants him out of Edgewood. The Plaintiff  
17 informed him that he would not do that but would review the circumstances of the  
18 situation. Plaintiff also informed the Chief that he has a moral obligation to  
19 provide food and shelter to his brothers in need as his religion has taught him. The  
20 Chief then asked what the religious affiliation was and the Plaintiff responded, the  
21 Wolf Creek Sanctuary. At that point, Chief Knutson became agitated and stated a  
22 derogatory comment about the Plaintiff's professed religious affiliation and  
23 departed.  
24  
25  
26

1       3.4     Shortly thereafter, the Police under the direction of Chief Knutson, began  
2       a campaign of harassment against the Plaintiff under the color of legal authority.

3       This unlawful conduct included;

4  
5       3.5     Defendant Knutson conducting or ordering of extensive surveillance of the  
6       property that the Plaintiff was residing at, then following departing vehicles  
7       pulling them over claiming that a traffic infraction had occurred. The Chief  
8       questioned the driver and would agree to allow them to depart without an  
9       infraction if they provided information regarding the Plaintiff.

10       3.6     Following the Plaintiff throughout the city as he transported the homeless  
11       to a local church for food services and to medical and social service appointments.

12  
13       3.7     Staking out and ordering subordinate officers to stake out the entrances to  
14       the church where food services were provided including both entrances a block  
15       apart. It was later uncovered that the Chief was a member of the Board of  
16       Directors for the church and a member of a sponsored Boy Scout organization.

17  
18       3.8     Stopping the Plaintiff without probable cause and issued a traffic  
19       infraction for not having a license even when the presented license was valid from  
20       the Plaintiff's home state. A Washington Court later dismissed the infraction after  
21       substantial evidence of Oregon residency was presented.

22       3.9     During the above stop, the Chief made mention that the Plaintiff's religion  
23       was just a bunch of dancing fags and that perhaps the next time the Plaintiff  
24       would cooperate with him (referring to a past police contact at the home in which  
25

1 the Plaintiff invoked his right to remain silent). Plaintiff's religion is practiced  
2 mainly by openly gay individuals and the Religion of the Chief, Lutheran, is  
3 known for their denouncement of homosexuality. The Chief's Boy Scout  
4 affiliation is also known to denounce homosexuality. Before departing, it is  
5 believed that the Chief mumbled that maybe next time I'll get you to the jail  
6 where you could get your ass wiped into cooperation.  
7

8 3.10 Issuance of an infraction claiming that the Plaintiff was running a Bed and  
9 Breakfast by housing the homeless even though it is a group tenancy situation as  
10 permitted under Washington State Law Title 59 and which Edgewood does not  
11 require a license to do.  
12

13 3.11 Contacted the County Health Department officials and attempted to use  
14 his legal authority to persuade them to declare that the septic system was  
15 malfunctioning even though he has no known educational background to declare  
16 such. Since that contact, the County Health Department did just that even though  
17 swab tests proved to be negative for sewage. Plaintiff and all other residents were  
18 given 28 days to vacate the property under threat of arrest.  
19

20 3.11 Contacting neighbors and disclosed personal information asking them if  
21 they would perform surveillance on the Monta Vista Home.

22 3.12 Contacting residents of the Monta Vista Home and asking them if they  
23 would help him install a microphone inside the residence.  
24

1 3.13 Defendant Knutson walking inside the Monta Vista home through open  
2 doors without a warrant nor for legal reason even though he was advised by letter  
3 to stop, essentially committing the unlawful act of trespass. This conduct only  
4 stopped after the owner, Baker, filed a civil lawsuit which is still pending in the  
5 Washington Superior Court.  
6

7 3.14 Defendant Knutson contacting food bank staff and soliciting information  
8 about household users while disclosing personal information about the Plaintiff  
9 and the homeowners terminal medical condition.  
10

11 3.15 Defendant Knutson contacting past and present house residents and stating  
12 suggestive ideas to them by intimidation in hopes of prosecuting the Plaintiff  
13 under the color of legal authority for suggestive crimes that the Plaintiff allegedly  
14 may have committed.  
15

16 3.16 Criminally arresting the Plaintiff and the homeowner (Baker) under  
17 charges of operating a Hostel even though the city has no such definition of such  
18 and all residents reside under state laws for tenancy.  
19

20 3.17 During a surveillance of the Monta Vista address by Defendant Knutson,  
21 the recent Edgewood Craigslist Murder took place just a short distance away from  
22 the Plaintiff's location. Because a murder Suspect has indicated that he had first  
23 checked the area for police before deciding to commit the crime, and the Plaintiff  
24 was aware that all city patrol cars were located on or near Monta Vista Drive  
25 during the event, Chief Knutson has threatened the Plaintiff to not make any  
26

1 statements as such in any potential future lawsuit by the widow of the victim.

2 3.18 City Manager Mark Bauer demanding that an assortment of inspectors  
3 from numerous agencies be permitted entry into the Monta Vista home without  
4 warrant and which eventually ended with the arrest of the Plaintiff and the  
5 property owner (Baker).  
6

7 3.19 Defendant Knutson disregard for spousal privileges granted by the State of  
8 Washington even though the Plaintiff demanded such in writing.

9 3.20 Defendant Knutson attempting to have the Plaintiff arrested for indecent  
10 exposure even though the house is occupied by all adult males who freely walk  
11 about as expected in their own home. Conviction of this charge could had resulted  
12 in a requirement for the Plaintiff to register as a sex offender and would void the  
13 Plaintiff's professional license.  
14

15 3.21 Defendant Knutson attempting to encourage consensual sex partners to file  
16 a criminal complaint against the Plaintiff.  
17

18 3.22 Arresting the Plaintiff and house owner Baker for operating a business  
19 without a license even though housing individuals is under the tenancy laws of the  
20 state and for which Edgewood does not require a license. The charge is a Gross  
21 misdemeanor and is punishable by imprisonment (all defendants).  
22  
23  
24  
25  
26

1 3.23 Defendant Knutson providing false and misleading information on an  
2 Affidavit of Probable Cause used to obtain a warrant in Pierce County resulting in  
3 the arrest of the Plaintiff. Defendant Knutson knew or should have known that the  
4 information was false, misleading, half truths, hearsay, based upon suggestive  
5 ideas planted within the witness on the affidavit, and had little factual basis.  
6

7 Defendant Knutson knew or should have known that this information would be  
8 used to issue an arrest warrant against the Plaintiff.

9 3.24 Issuing an infraction claiming that the residence violates single family  
10 zoning laws by housing the homeless even though the Cities own definition of  
11 "Family" is in violation of the U.S. Supreme Court rulings made on at least two  
12 occasions. Defendants should have known that such rulings existed before issuing  
13 the infraction (all Defendants).  
14

15 3.25 Failing to add onto a police report that a prior resident evicted for drug use  
16 and who made a false claim that the Plaintiff had stolen money allegedly stored by  
17 the Plaintiff also attempted to extort money from another resident earlier in the  
18 day by text phone messages which were retained as evidence. The resident whom  
19 the extortion was committed upon, James Leach, stated that he barely knew the  
20 new resident of one day when he started to behave oddly as though he was on  
21 drugs and in a threatening manner towards others.  
22

1 3.26 City Manager Bauer failing to investigate like housing situations in  
2 Edgewood when they were outside of the area where the Mayor resided and the  
3 location of the Plaintiff residence.

4 3.27 City Counsel failing to intervene in the illegal conduct even though they  
5 were aware that they had the power to stop the civil rights violations .  
6

7 3.28 Defendant Knutson threatening the Plaintiff because Baker filed a lawsuit  
8 naming the City and his police agency by stating that he was working to jail the  
9 Plaintiff because you can't file your lawsuit from there.

10 3.29 Claiming that friends of the homeowner Baker who were visiting to say  
11 their final goodbyes to the dying man were household residents and ordered their  
12 removal from the property. When the guests did not leave, retaliatory acts were  
13 committed against the Plaintiff (all Defendants).  
14

15 3.30 Defendant Knutson threatening the Plaintiff by retaliatory acts under the  
16 color of legal authority after he invoked his right to remain silent.

17 3.31 Defendant Knutson committing retaliatory acts under the color of legal  
18 authority after the Plaintiff began to host coffee chat groups for the homeless to  
19 discuss civil rights and how they can demand and protect them.  
20

21 3.32 Defendant Knutson committing retaliatory acts under the color of legal  
22 authority after the Plaintiff appeared in an interview on a local FOX affiliate TV  
23 newscast regarding the issues contained within.  
24

1 IV CAUSES OF ACTION AGAINST THE DEFENDANTS

2 4.1 Reallage the facts as stated within. Violation of the 1<sup>st</sup> Amendment, 1<sup>st</sup>  
3 clause, of the Constitution of the United States regarding religion. The  
4 Defendants, either by act or failure to act to prevent the violation even though  
5 empowered to do so, did violate the civil rights of the Plaintiff. Plaintiff now  
6 suffers from fear, anxiety, and psychological problems from the illegal acts and  
7 seeks compensation.  
8

9 4.2 Reallage the facts as stated within. Violation of the 1<sup>st</sup> Amendment, 2<sup>nd</sup>  
10 clause, of the Constitution of the United States. The Defendants, either by act or  
11 failure to act to prevent the violation even though empowered to do so, did violate  
12 the civil rights of the Plaintiff. Plaintiff now suffers fear, anxiety, and  
13 psychological problems from the illegal acts and seeks compensation.  
14

15 4.3 Reallage the facts as stated within. Violation of the 4<sup>th</sup> Amendment, 1<sup>st</sup>  
16 clause, of the Constitution of the United States. The Defendants, either by act or  
17 failure to act to prevent the violation even though empowered to do so, did violate  
18 the civil rights of the Plaintiff. Plaintiff now suffers from fear, anxiety, and  
19 psychological problems from the illegal acts and seeks compensation.  
20

21 4.4 Reallage the facts as stated within. Violation of the 5<sup>th</sup> Amendment, 1<sup>st</sup>  
22 clause, of the Constitution of the United States. The Defendants, either by act or  
23 failure to act to prevent the violation even though empowered to do so, did violate  
24

1 5.6 That the Court award interest as determined by the Court for all unpaid  
2 judgments until fully paid.

3 5.7 Upon the conclusion of the trial, the Plaintiff requests that the Court  
4 consider criminal charges against each Defendant under Title 18, §242 and take  
5 into account any mental and/or bodily injuries in which the Plaintiff may have  
6 suffered as a result of the Defendants conduct under the color of authority of law.  
7

8 VI. JURY DEMAND

9 6.1 The Plaintiff requests that a jury hear the facts of this complaint.

10 DATED this 2 day of November, 2010.

11  
12 Lawrence Beaumont  
13 2870 NE Hogan Drive, 291  
14 Gresham, OR. 97030

15 Note: Plaintiff is part-time homeless but can receive mail at the above  
16 address. No personal phone number available.

17  
18   
19 Lawrence Beaumont, Plaintiff Pro-Se  
20  
21  
22  
23  
24  
25  
26  
27  
28